



**Date:** July 24, 2017  
**To:** Haines Borough Committee of the Whole  
**From:** Holly Smith, Borough Planner  
**Re:** Marijuana Facilities: Definitions / Planning & Zoning Code

			<b>Z O N E S</b>															
Facility Type	AS 18.38.900 Definition	Title 18 Counterpart	NA = Not Allowed; UBR = Use By Right; CU = Conditional Use; <span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> = Permit Required															
			I/H	ILC	IW	C	W	SSA	SR	MR	RR	RMU	MU	REC	LRR	MBRR	GU	
Retail Marijuana Store	An entity registered to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities, and to sell marijuana and marijuana products to consumers.	Commercial Light Less than 500 square feet	CU	UBR	CU	UBR	UBR	UBR	NA	CU	UBR	UBR	UBR	NA	NA	NA	UBR	
		Commercial Medium 500-5,000 square feet	CU	UBR	CU	UBR	CU	CU	NA	NA	CU	CU	UBR	NA	NA	NA	UBR	
		Commercial Major More than 5,000 square feet	UBR	UBR	UBR	UBR	CU	CU	NA	NA	NA	NA	UBR	NA	NA	NA	UBR	
Standard &/or Limited Cultivation Facility	An entity registered to cultivate, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.	Crop Production	NA	NA	NA	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	NA	NA	UBR / CU	UBR
Product Manufacturing Facility	An entity registered to purchase marijuana; manufacture, prepare, and package marijuana products (including concentrate); and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.	Industrial, Light	CU	UBR	CU	CU	CU	NA	NA	NA	NA	CU	UBR	NA	NA	UBR / CU	UBR	
Testing Facility	An entity registered to analyze and certify the safety and potency of marijuana	Industrial, Light	CU	UBR	CU	CU	CU	NA	NA	NA	NA	CU	UBR	NA	NA	UBR / CU	UBR	

**Zones:** I/H = Heavy Industrial; I/L/C = Light Industrial / Commercial; I/W = Waterfront Industrial; C = Commercial; W = Waterfront; SSA = Significant Structures Area; SR = Single Residential; MR = Multiple Residential; RR = Rural Residential; RMU = Rural Mixed Use; MU = Multiple Use; REC = Recreational; LRR = Lutak Rural Residential; MBRR = Mud Bay Rural Residential; GU = General Use

## Definitions in Title 18:

“Commercial” means a nonresidential use involving the storing, wholesaling, retailing or rental of any article, service or substance for cash, trade or any form of compensation, and supporting activities and buildings.

“Commercial, light” means a commercial use with gross floor area of 500 square feet or less.

“Commercial, medium” means a commercial use with between 501 square feet and 5,000 square feet of gross floor area.

“Commercial, heavy” means a commercial use with gross floor area of 5,001 square feet or more.

“Commercial use” means the nonresidential use involving the manufacturing, storing, wholesaling, or retailing of any material, goods or services and any accessory uses outside the purview of the definition of “cottage industry or “home occupation.” Commercial uses include: offices, hotels or motels, food service and other similar uses. For the purposes of this title, “commercial use” shall not mean a residential, light industrial or industrial use.

“Crop Production” means a residential use involving the raising of any vegetation for intended profit or personal use. Crops grown on the residential property may be sold on that property; provided, that only plants and crops are sold there. If the crop production or sale of the crops produced creates a need for off-street parking in addition to that required for the residential use, the owner must provide sufficient off-street parking as recommended by the borough. Water service to any lot being used for crop production and sales shall be metered and billed at the commercial rate for water only during the time the crops are being grown and/or sold on the property. During the time the crops or plants are being sold, one sign, no larger than four square feet in area, nonilluminated and located on the principal property, may be displayed. Crop production does not include animal husbandry.

“Industrial, light” means a use involving minor manufacturing or processing, characterized by uses that do not create external effects of noise, dust, smoke, fumes, offensive odors or vibration. Light industrial uses include wholesale and warehouse activities and operations whose external physical effects are restricted to the immediate property, and the manufacture or processing of finished or semi-finished products. Light industrial uses may include: minor fish processing, warehouses and manufacturing.

### **3 AAC 306.010. License restrictions [500-foot rule]**

(a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a **school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility**. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religious services are regularly conducted, or the main public entrance of the correctional facility.